

COMMISSION MEETING MINUTES
August 19, 2014

The Board of Davis County Commissioners met in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah on August 19, 2014. Members present were Commissioner Louenda H. Downs - Chair, Commissioner P. Bret Millburn, Commissioner John Petroff, Jr., Clerk/Auditor Chief Deputy Audit/Finance Curtis Koch, Chief Deputy Civil County Attorney Neal Geddes, and Deputy Clerk/Auditor Shauna Brady.

Richard Maughan, Davis County Recorder, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Special
Meeting with
Fruit Heights
City Council

Davis County Commissioners will hold a special meeting on August 19, 2014 at 5:30 pm in coordination with the Fruit Heights City Council at Nicholls Park bowery, 1105 East Nicholls Road. At 6:30 pm the meeting will move to the Fruit Heights City Office building located at 910 S. Mountain Road for the regularly scheduled City Council work session and meeting. The commissioners will be available for the purpose of receiving information from citizens and providing a question and answer forum for discussion of Davis County matters.

Amendment
#2014-219A
with Intrepid
Motorsports to
donate
demolition
derby prize
money to Bren
Ewing family

Neal Geddes, Davis County Deputy Civil County Attorney, presented amendment #2014-219A with Intrepid Motorsports, producer of the demolition derby held at the 2014 Davis County Fair. This agreement is being amended to direct the prize money to Intrepid Motorsports to be donated to the Bren Ewing family. This supports the wishes of the demolition derby drivers to donate their prize money to the family. Mr. Ewing, a member of the Intrepid Motorsports' safety team, was killed on August 13, 2014 when a disabled vehicle rolled over on top of him. Neal said it was commendable of the drivers to want to donate the prize money to the Ewing family. Commissioner Petroff explained the decision to direct the funds to Intrepid Motorsports creates an easier path for the money to be donated. He said it was an unfortunate incident, but has given a lot of people the opportunity to step up and show us how to do the right thing. He commended the drivers for their generosity and noted they were not the only ones who wanted to help. Commissioner Petroff said two young daughters of a concessioner grabbed a couple of boxes and collected over \$1,200.00 for the family after the incident. Another \$700 was raised that night at the Legacy Event Center from people who wanted to help. Hopefully, the funds will amount to over \$20,000.00 to help the Ewing family. Commissioner Downs said Davis County Deputy Civil Attorney Mike Kendall was able to clarify how the County, as a government agency, is able to participate in accordance with its donation policy and invited his comments. Mike said based on the urgency to get the funds to the Ewing family, the decision to amend the initial contract to issue the funds directly to Intrepid Sports is correct. The contract amount is \$17,000.00. The time period is August 19, 2014. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Interlocal
agreement
#2014-282 with
Syracuse City
to annex
portions of
Gentile Street
& 2000 West

Michael Kendall, Deputy Civil County Attorney, presented the following:

Interlocal agreement #2014-282 with Syracuse City to annex portions of Gentile Street and 2000 West and assume responsibility for maintenance of the highways/roadways within the unincorporated area of Davis County at Gentile Street and 2000 West. The property is adjacent to the Still Water Lakes Development and located within Syracuse boundaries; however, the sole ingress and egress at Gentile and 2000 West are within the unincorporated area of the County. This is an agreement wherein Syracuse City, for a term of 50 years, is willing to set forth good faith efforts to annex the portions of the roadway to within city boundaries. To assist

in that, there is an option under the statute that will permit the municipality to acquire annexed property without petition if it is providing municipal type services and meets other requirements. There is a provision that Syracuse City will provide municipal services, in essence, by maintaining the roadway for two years. Commissioner Petroff said this is the best way to get the property annexed into Syracuse City and expressed appreciation for Mike’s efforts. No monies will be exchanged. The contract period is August 18, 2014 – August 17, 2064. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Tabled – agreement with Brighton Benchmark Developers

An agreement with Brighton Benchmark Developers, LLC; Patrick Scott, Irben Development, LLC; Michael Thayne, SWLW 1, LLC; and Mark Thayne regarding the Still Water Lakes development located at Gentile Street and 2000 West in Syracuse was tabled.

Reappointment of Stephen M. Tumblin as board member of DCHA

Commissioner Downs presented a request for reappointment of Stephen M. Tumblin as a member of the Board of Commissioners of the Davis Community Housing Authority. Mr. Tumblin’s current term will end September 30. The new term will run October 1, 2014 – September 30, 2018. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Agreement #2014-283 with U of U School of Medicine to develop 2-way communication regarding school absenteeism

Brian Hatch, Davis County Health Department, presented agreement #2014-283 with the University of Utah School of Medicine for funding to develop an electronic platform for 2-way communication regarding school absenteeism and its causes. The receivable amount is \$10,000.00. The contract period is from beginning to end of the traditional school year 2014-2015. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2014-284 with CSC to submit documents for electronic recording

Richard Maughan, Davis County Recorder, presented agreement #2014-284 with Corporation Service Company (CSC) to submit documents for electronic recording. The payable amount is \$190.00 annually. The contract period is unlimited. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2014-285 with David Allen Sibley/Random House to be keynote speaker at 2015 Great Salt Lake Bird Festival

Neka Roundy, Davis County Community & Economic Development/Tourism Office, presented agreement #2014-285 with David Allen Sibley/Random House to be the keynote speaker at the 2015 Great Salt Lake Bird Festival. Neka said it is a big deal and quite an honor to have David Allen Sibley, the “big kahuna” of birding, come to Utah to share his expertise. Neka had a news release and summary of the 2014 Great Salt Lake Bird Festival available. Commissioner Downs commented that it is because of the tremendous bird festivals Neka has produced in the past that Mr. Sibley would be willing to take part in next year’s festival. The payable amount is \$4,000.00. The contract period is May 14-17, 2015. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Barry Burton, Davis County Planning Director, presented the following:

Agreement #2014-286 with Morgan Pavement Maintenance to repair, seal and stripe Legacy Trail

Agreement #2014-286 with Morgan Pavement Maintenance, Inc., to repair cracks, seal asphalt and repaint striping on the Legacy Trail from Farmington to the northern portion of North Salt Lake. North Salt Lake City completed the maintenance of its portion of the trail last year. Barry confirmed the costs associated with the interlocal agreement with North Salt Lake, Woods Cross, Centerville and Farmington are split evenly to maintain the Legacy Trail. West Bountiful did not enter into the agreement, but agreed to pay the maintenance costs for its footage of the trail. The payable amount is \$96,540.00 and requires a budget change. The contract period is 3 months. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Commissioner Millburn made a motion to approve with the associated

budget change. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

<u>Increase</u>	<u>Decrease</u>	<u>Account Name</u>	<u>Account Number</u>	<u>Dollar Amount</u>
(X)	()	Trail Contributions	18-3850-000	76,540
x	()	Land Improvements	18-4192-730	76,540

Agreement #2014-287 with NeuWave Electric Company to install art lighting on 2nd floor of County Administration Building

Agreement #2014-287 with NeuWave Electric Company to install art lighting for art exhibited on the second floor of the Davis County Administration Building. The payable amount is \$11, 405.00 and requires a budget change. The contract period is 60 days. Commissioner Petroff made a motion to approve with the associated budget change. Commissioner Millburn seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

<u>Increase</u>	<u>Decrease</u>	<u>Account Name</u>	<u>Account Number</u>	<u>Dollar Amount</u>
()	x	Art - MISC supplies	10-4150-610	11,405
x	()	Bldg Improvement	10-4150-720	11,405

Agreement #2014-288 with Milliman, Inc. to allow access to Davis County gov't employee Protected Health Information

Curtis Koch, Clerk/Auditor Chief Deputy Audit/Finance, presented agreement #2014-288 with Milliman, Inc. to allow access to the Davis County government employee Protected Health Information (PHI), which is required to conduct the bi-annual OPEB study. The OPEB study is managed through the County's financial advisor, Zion's Bank Public Finance. There are no monies involved. The contract period is from August 1, 2014 through the conclusion of the study. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment #2012-217G with UDHS for pass-through funding to DBH for substance abuse services

Commissioner Millburn presented amendment #2012-217G with the Utah Department of Human Services for pass-through of funding in the amount of \$3,053,105.00 to Davis Behavioral Health for Substance Abuse Services. The contract period is July 1, 2014 through June 30, 2015. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment #2012-238C with UDHS to approve Mental Health Area Plan & pass – through funds for mental health services

Commissioner Millburn presented amendment #2012-238C with the Utah Department of Human Services for approval of the Mental Health Area Plan and pass through funding allocations in the amount of \$3,928,551.00 to Davis Behavioral Health for mental health services. The contract period is July 1, 2014 through June 30, 2015. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn made a motion to convene as the Board of Equalization. Commissioner Petroff seconded the motion. All voted aye.

Approval of Property Tax Register

Dale Peterson, Davis County Tax Administration Director, presented the Property Tax Register which reflects 56 corrections, 46 appeals recommended for approval, 4 recommended to be dismissed, and 1 recommended to be denied. Commissioner Millburn asked Dale to give an update on activity in the Tax Administration office. Dale said it appears there are more appeals being approved than denied; however, the respective processes create different timelines. When someone brings in an appraisal, often times the Tax Administration office can sit down and agree on the spot to approve or stipulate to a value. Whereas, the conditionals and denials have statutory timeframes as to when a formal hearing can be requested. The office has accepted 811 appeals thus far. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye.

Commissioner Millburn made a motion to reconvene Commission Meeting. Commissioner Petroff

seconded the motion. All voted aye.

Check registers as prepared by the Davis County Clerk/Auditor’s Office were approved by a motion from Commissioner Petroff. Commissioner Millburn seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Approve
minutes of
8-12-14 mtg

Minutes of the August 12, 2014 Davis County Commission Meeting were approved by a motion by Commissioner Millburn. Commissioner Petroff seconded the motion. All voted aye.

Public
Comment:
Craig Howe,
Layton resident

Public Comments: Craig Howe, a resident of Layton, said he was at the meeting for two reasons. First and foremost, he appreciates the leadership of Davis County. He said the commissioners are doing a wonderful job. He has enjoyed the meeting and taking care of business. He said the commissioners obviously trust their staff to take care of residents and he appreciates that. He has lived in Davis County a good many years and it is great to know residents are taken care of. Second, he came to file an appeal on his property taxes. Again, he said it is nice to be able to come with the feeling you are going to be taken care of and it’s not going to be a battle or a big issue. He certainly has felt that from each of the commissioners. He said it has been interesting as he has gone out to get comps. The value he is asking is probably above what he can sell his home for and it is also shown in the comps. If one looks at what sold values are, they are all below what they say the home is valued at. He said it is just something to think about. The commissioners thanked him for his comments and attendance at the meeting.

Commissioner
Comments:

Commissioner Comments:
Commissioner Millburn said it is sad to see summer ending and the conclusion of the fair and school starting next week are just more signs of that. Minus the tragic event at the demolition derby, he said the fair went very well. He feels the Commissioner’s Cup golf tournament was also a great success and expressed appreciation for all the sponsors.

Commissioner Petroff commended Davis County Legacy Events Center Director Dave Hansen, Fair Coordinator Brooks Burr, Mike Moake and the rest of the fair staff for doing a great job producing the Davis County Fair this year. He said the Legacy Events Center office evaluates the fair at its conclusion each year and determines areas that can be improved. He is happy to see the PRCA (Professional Rodeo Cowboys Association) participate in the rodeos at the fair because there are larger, more lucrative events in and out of the state at which they could be competing. It was a great event.

Move to Closed
Session

Commissioner Millburn made a motion to move to Closed Session Commissioner Petroff seconded the motion. All voted aye.

Commissioner Millburn made a motion to reconvene Commission Meeting. Commissioner Petroff seconded the motion. All voted aye.

Closed Session
motion to take
action

Commissioner Petroff made a motion to take the following action as a result of the closed session: A confidential letter will be sent to the Office of Professional Conduct stating the commissioner’s position and recommendation in accordance with UAC 52-04-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual. Commissioner Millburn seconded the motion. All voted aye.

Meeting adjourned.

Clerk/Audit

Chair

